

Complaint

FILED

JUN 17 2025

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

Aaron Thomas,)

Plaintiff,)

)

v.)

)

Albertsons, Inc., and its subsidiaries,)

Defendants.)

Civil Action No. 4:25cv648 ALM/BD

COMPLAINT FOR VIOLATION OF ANTITRUST LAWS

1. Plaintiff Aaron Thomas resides at 604 E Monterey, Denison, TX 75021.
2. Defendant Albertsons, Inc. is a nationwide grocery chain operating in Texas through various subsidiaries.
3. This Court has jurisdiction under 28 U.S.C. § 1331 and 15 U.S.C. § 4, as this case arises under federal antitrust law.
4. Venue is proper in this Court as the events occurred in Denison, Grayson County, Texas, within this District.
5. Albertsons, Inc. acquired a former Kroger property in Denison, TX, and placed deed restrictions on it that prohibit future grocery store operations at the site, even after its closure.
6. These restrictions are anti-competitive, have contributed to a food desert in Denison, limited consumer choice, increased food costs, and caused long-term economic harm.

7. The former Kroger location was centrally located, profitable, and outperformed the Albertsons store. The only viable grocery site in the area is now restricted from new grocery use.
8. Kroger, in a letter dated September 23, 2024, declined to reopen in Denison, citing reduced market viability, which is partly due to Albertsons' restrictive practices.
9. Plaintiff also notes that Denison, unlike neighboring Sherman, has experienced higher property taxes due to suppressed local sales tax revenue and loss of competitive grocery presence.
10. Plaintiff seeks monetary damages for the long-term harm caused by Defendant's anti-competitive conduct, including lost sales tax revenue to the City of Denison, increased grocery costs to consumers, reduced food access, and public health impacts. Estimated damages exceed \$167.5 million over 25 years, with potential treble damages under federal antitrust law.

WHEREFORE, Plaintiff requests that the Court:

- a. Declare the deed restrictions unlawful and void;
- b. Issue an injunction against their enforcement;
- c. Award damages, costs, and any additional relief this Court deems just and proper.

Respectfully submitted,



Aaron Thomas

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